

April 28, 1970

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File B  
8510/30/70

Re: Philip Morris Incorporated  
German Patent Appln. P 16 92/531.0  
Our File: 582-50913 W. Germany

Dear Sirs:

Please instruct the Examiner to conduct a patentability examination of the subject application.

We would suggest introducing into the German case the following claims which are the claims of the corresponding United States case (U.S. Patent No. 3,385,303) revised to conform with the German practice:

Claim 1 - A <sup>- new material</sup> smoking tobacco ~~product of reconstituted tobacco~~ made from bright tobacco leaf stems, scraps and dust having the desirable smoking qualities of bright tobacco leaf characterized by a content of from 5.0 to 90.0% by weight of a fibrous tobacco material containing tobacco pectins having substantially no calcium and magnesium cross-links; a calcium compound selected from the group consisting of calcium hydroxide, calcium chloride and calcium acid phosphate in an amount sufficient to provide from 2.0 to 3.0% by weight of elemental calcium; a potassium compound selected from the group consisting of potassium hydroxide, potassium sulfate, potassium acid phosphate

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and potassium chloride in an amount sufficient to provide from 0.19 to 5.0% by weight of elemental potassium; from 5.0 to 20.0% of malic acid or a salt thereof; from 0.75 to 10.0% of citric acid or a salt thereof; from 1.0 to 6.0% of a humectant and from 5.0 to 20.0% of a sugar.

Claim 2 - The smoking tobacco product of claim 1 characterized in that the humectant is selected from a group consisting of glycerine, triethylene glycol, butylene glycol and propylene glycol.

Claim 3 - A smoking tobacco product of reconstituted tobacco made from bright tobacco leaf stems, scraps and dust having the desirable smoking qualities of bright tobacco leaf characterized by a content of from 5.0 to 90.0% by weight of the fibrous tobacco material containing tobacco pectins having substantially no calcium and magnesium cross-links; a calcium compound selected from the group consisting of calcium hydroxide, calcium chloride and calcium acid phosphate in sufficient amount to provide from 2.0 to 3.0% by weight of elemental calcium; a potassium compound selected from the group consisting of potassium hydroxide, potassium sulfate, potassium acid phosphate and potassium chloride in sufficient amount to provide from 0.19 to 5.0% by weight of elemental potassium; from 5.0 to 20.0% of malic acid or a salt thereof; from 0.75 to 10.0% by weight of citric acid or a salt thereof; from 1.0 to 6.0% by weight of a humectant selected from the group consisting of glycerine, triethylene glycol, butylene glycol, propylene glycol; from 5.0 to 20.0% by weight of a sugar selected from the group consisting of invert sugar, dextrose, fructose or sucrose; a magnesium compound in an amount sufficient to provide from 0.3 to 1.4% by weight of elemental magnesium; from 1.0 to 3.0% by weight of free nicotine or of a nicotine salt, and from 0.8 to 1.0% of a phosphate.

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Claim 4 - A smoking tobacco product of reconstituted tobacco made from bright tobacco leaf stems, scraps and dust having the desirable smoking qualities of bright tobacco leaf characterized by a content of from 5.0 to 98.0% by weight of a fibrous tobacco material containing tobacco pectins having substantially no calcium and magnesium cross-links, a calcium compound selected from the group consisting of calcium hydroxide, calcium chloride and calcium acid phosphate in an amount sufficient to provide from 2.0 to 3.0% by weight of elemental calcium; a potassium compound selected from the group consisting of potassium hydroxide, potassium sulfate, potassium acid phosphate and potassium chloride, in an amount sufficient to provide from 0.1 to 5.0% by weight of elemental potassium; from 5.0 to 20.0% by weight of malic acid or a salt thereof, from 0.75 to 10.0% by weight of citric acid or salt thereof, from 1.0 to 6.0% by weight of a humectant selected from the group consisting of glycerine, triethylene glycol, butylene glycol and propylene glycol, and from 5.0 to 20.0% by weight of a sugar selected from the group consisting of invert sugar, dextrose, fructose, and sucrose.

While we are not requesting a revision of the specification, in view of our suggestion to introduce new claims set forth above, you are authorized to revise the specification to bring it in line with the above-proposed new claims according to the German practice.

In accordance with your request, we are submitting herewith a copy of the original application specification marked as such.

Please submit the proposed claims and revise the specification accordingly, if in your judgment this is necessary, by September 2, 1970.

Very truly yours,

Thomas H. Liddle III

THL:tis  
Enc.

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